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10                   **UNITED STATES DISTRICT COURT**  
11                   **DISTRICT OF NEVADA**

12 Anna Jones,

13                   Plaintiff,

14                   v.

15                   United States of America; Thyssenkrupp  
16 Elevator Corporation, a Delaware  
17 Corporation; Thyssenkrupp Elevator  
18 Manufacturing, Inc., a Delaware  
Corporation; Does I through X, inclusive;  
and Roe Corporations XI through XX,  
inclusive,

19                   Defendants.

20                   Case No. 2:19-cv-00600-GMN-VCF

21                   **Stipulation and Order**

22                   Plaintiff Anna Jones and Defendant United States, through their undersigned  
23 attorneys, represent, stipulate, and request that the Court approve, the terms below to fully  
conclude this matter as between Plaintiff and the United States.

24                   WHEREAS,

25                   A. The Court recently entered an Order (ECF No. 45) disposing of all claims  
26 against the United States in favor of the United States;

27                   B. There remain claims pending against the Thyssenkrupp defendants;

28                   C. The United States recently filed a Motion for Entry of Final Judgment (ECF

1 No. 46), to which the Thyssenkrupp defendants filed a non-opposition (ECF No. 50), and  
2 for which Plaintiff would have until April 28, 2021 to file a response;

3 D. The United States has incurred litigation costs for which it could file a Bill of  
4 Costs pursuant to Fed. R. Civ. P. 54(d) and LR 54-1, *et seq.*;

5 E. Plaintiff could seek reconsideration of the Order (ECF No. 45) or appeal of a  
6 final judgment in favor of the United States; and

7 F. Plaintiff and the United States each desire to fully end, as between them, all  
8 disputes, further motion practice, and proceedings related to this matter;

9 NOW THEREFORE, Plaintiff and the United States stipulate as follows:

10 1. Plaintiff consents to the granting of the United States' Motion for Entry of  
11 Final Judgment (ECF No. 46) and the entry of a separate final judgment, pursuant to Fed.  
12 R. Civ. P. 58, in favor of the United States;

13 2. Plaintiff will not seek any relief from any order in favor of the United States  
14 or from a final judgment in favor of the United States, and Plaintiff waives any and all rights  
15 and grounds to alteration, amendment, reconsideration, and appeal, including without  
16 limitation those under Fed. R. Civ. P. 59, 60 and Fed. R. App. P. 3, 4; and

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1           3. Defendant United States waives any and all rights to seek and recover costs,  
2 including without limitation those under Fed. R. Civ. P. 54(d) and LR 54-1, *et seq.*, and, as  
3 between them, Plaintiff and the United States will each bear their own respective costs and  
4 attorneys' fees in this matter.

5 Respectfully submitted this 26th day of April 2021.

6 CHRISTOPHER CHIOU  
Acting United States Attorney

## HEATON & ASSOCIATES

8                   /s/ Patrick A. Rose  
9                   PATRICK A. ROSE  
9                   LINDSAY A. AGER  
9                   Assistant United States Attorneys  
9                   *Attorneys for the United States*

/s/ Jared F. Herling  
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*Attorney for Plaintiffs*

## **IT IS SO ORDERED.**

**IT IS FURTHER ORDERED** that Defendant United States' [46] Motion for Judgment is **GRANTED**.

The Clerk of Court shall enter judgment accordingly.

Dated this 27 day of April, 2021.

Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT